

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 10/06/06

- against -

05 Cr. 55 (DAB)
MEMORANDUM & ORDER

JOHNNY CORTEZ, and JACQUELINE BURGOS,

Defendants.

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DEBORAH A. BATTS, United States District Judge.

This Court is in receipt of Defense Counsel's letter of September 20, 2006, apprising the Court of the status in another case before another Judge. On June 19, 2006, in deference to a multi-defendant trial in which Defense Counsel was involved that in June was scheduled to commence September 11, 2006 and run through February 2007, this Court set a trial date for this matter for March 25, 2007. The date in the other case was subsequently adjourned until January 2007. As matters developed in the other case, that Court scheduled an antecedent trial to the January 2007 trial for October 17, 2006. The Second Circuit recently ordered a stay of that October 17, 2006 trial date.

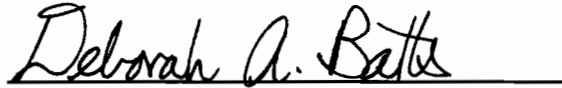
While the Court has been sympathetic to Defense Counsel's obligations in the other case, that other case has become a "moving target" which could wreak havoc with this Court's trial calendar if continuing adjournments here are granted.

Accordingly, as it is very likely that the trial before this Court scheduled for March 26, 2007 will be resolved well before the trials in the other matter, the March 26, 2007 trial date stands.

SO ORDERED.

Dated: New York, New York

October 6, 2006

A handwritten signature in black ink, reading "Deborah A. Batts", is written over a horizontal line.

DEBORAH A. BATTS

United States District Judge